

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ADAPTIVE DOWNSTREAM MODULATION SCHEME FOR BROADBAND WIRELESS ACCESS
SYSTEMS**

for which application for Letters Patent of the United States of America is filed herewith.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Priority Claimed

Yes No

Number	Country	Day/Month/Year Filed
Number	Country	Day/Month/Year Filed

Number	Country	Day/Month/Year Filed
Number	Country	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) below.

Application Number	Filing Date
Application Number	Filing Date

Application Number	Filing Date
Application Number	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: Patented, Pending, Abandoned
Application Number	Filing Date	Status: Patented, Pending, Abandoned

Application Number	Filing Date	Status: Patented, Pending, Abandoned
Application Number	Filing Date	Status: Patented, Pending, Abandoned

0580449-030701

I HEREBY APPOINT THE FOLLOWING AS MY ATTORNEYS WITH FULL POWER OF SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT OFFICE CONNECTED THEREWITH:

<u>Attorney</u>	<u>Reg. No.</u>
J. William Wigert	24,582
Nathan P. Koenig	38,210
Doyle B. Johnson	39,240
Malcolm B. Wittenberg	27,028
Tobi Clinton	43,553
John W. Carpenter	39,129

Send correspondence to:

John W. Carpenter
CROSBY, HEAFEY, ROACH & MAY
P.O. Box 7936
San Francisco, CA 94120-7936
DID Ph.: 415-659-5927
Ph.: 415-543-8700
Fax: 415-391-8269

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Menashe Shahar

Inventor's signature _____

Date: _____, 2001

Residence: 16 Kirati, Ramat-Gan, Israel

Citizenship: Israel

Post Office Address: 16 Kirati, Ramat-Gan, Israel

Full name of joint or second inventor: Raul Asia

Inventor's signature _____

Date: _____, 2001

Residence: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Full name of joint or third inventor: Amnon Jonas

Inventor's signature _____

Date: _____, 2001

Residence: 7A Byalik, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 7A Byalik, Jerusalem, Israel

Full name of joint or fourth inventor: Yonatan Manor

Inventor's signature _____

Date: _____, 2001

Residence: 16 Einstein St., 34604 Haifa, Israel

Citizenship: Israel

Post Office Address: 16 Einstein St., 34604, Israel

Patent Office